



General Assembly

Substitute Bill No. 65

February Session, 2014



**AN ACT CONCERNING THE SALE OF FARM PRODUCTS AS
"CONNECTICUT-GROWN" AND CERTIFICATION FOR
"CONNECTICUT-GROWN" MARKETS AND RESTAURANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-38 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) For purposes of this section, "farm products" means products
4 resulting from the practice of agriculture or farming, as defined in
5 section 1-1 and "Connecticut-Grown" means produce and other farm
6 products that have a traceable point of origin within Connecticut.

7 (b) Only farm products grown or produced in Connecticut shall be
8 advertised or sold in Connecticut as "Connecticut-Grown". Farm
9 products grown or produced in Connecticut may be advertised or sold
10 in Connecticut as "Native", "Native-Grown", "Local" or "Locally-
11 Grown". Farm products grown or produced within a ten-mile radius of
12 the point of sale for such farm products may be advertised or sold in
13 Connecticut as "Native", "Native-Grown", "Local", or "Locally-Grown".
14 Any person, firm, partnership or corporation advertising farm
15 products as "Native", "Native-Grown", "Local", "Locally-Grown", or
16 "Connecticut-Grown" shall be required to furnish written proof within
17 ten days of the sale of such products that such products were grown or
18 produced in Connecticut or within a ten-mile radius of the point of

19 sale, as applicable, if requested to do so by the Commissioner of
20 Agriculture or said commissioner's designee. Any person who violates
21 any provision of this section shall be fined not more than twenty-five
22 dollars for each product label in violation of this section.

23 (c) Notwithstanding the provisions of subsection (b) of this section,
24 any person who sells any farm product sold in this state as
25 "Connecticut-Grown" shall offer such product for sale in the
26 immediate proximity of a sign that is: (1) Readily visible to consumers,
27 (2) not less than eight and one-half inches by eleven inches in size, and
28 (3) in a form that is substantially as follows:

29 THIS FARM PRODUCT IS CONNECTICUT-GROWN. THIS FARM
30 PRODUCT WAS GROWN OR PRODUCED BY THE FOLLOWING
31 PERSON OR BUSINESS: (INSERT NAME AND ADDRESS OF
32 PERSON OR BUSINESS)

33 The lettering on any such sign shall be of such a size, font or print that
34 is clearly and easily legible. Such a sign shall accompany each type of
35 farm product that any such person sells as "Connecticut-Grown". Any
36 person who violates the provisions of this subsection shall be fined one
37 hundred dollars for each day that such violation occurs.

38 Sec. 2. Section 22-38b of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2014*):

40 (a) For the purposes of this section, "grocery or food store" means a
41 business that employs ten or more persons and is engaged in the retail
42 sale of produce, such as fruits and vegetables, meats, poultry, seafood,
43 nuts, dairy products, bakery products or eggs, and "Connecticut-
44 Grown" has the same meaning as provided in section 22-38, as
45 amended by this act.

46 (b) No grocery or food store shall be eligible for any state grant,
47 financial assistance, state loan or other state-funded incentive under
48 title 32, unless such store is certified as a ["Connecticut Farm Fresh]
49 "Connecticut-Grown Market" by the Commissioner of Agriculture

50 pursuant to subsection (c) of this section.

51 (c) The Commissioner of Agriculture shall establish and administer
52 a program, within available resources, to certify grocery and food
53 stores as ["Connecticut Farm Fresh] "Connecticut-Grown Markets". A
54 grocery or food store may be certified by the commissioner as a
55 [Connecticut Farm Fresh Market] "Connecticut-Grown Market" if proof
56 is submitted, to the satisfaction of the commissioner, that such store
57 continuously stocks [fifteen] five per cent or more of its shelf space for
58 retail produce and dairy with farm products grown or produced in this
59 state on a year-round basis and stocks twenty-five per cent or more of
60 its shelf space for retail produce with Connecticut-Grown farm
61 products during the months of July, August and September. [Such
62 products include, but are not limited to, dairy products, meat, poultry,
63 seafood, nuts, eggs, fruits and vegetables.] A grocery or food store
64 certified as a [Connecticut Farm Fresh Market] "Connecticut-Grown
65 Market" may use the words ["Connecticut Farm Fresh] "Connecticut-
66 Grown Market" for promotional and marketing activities. No store
67 other than a store certified as a [Connecticut Farm Fresh Market]
68 "Connecticut-Grown Market" may use such words for promotional
69 and marketing activities.

70 (d) The Commissioner of Agriculture shall establish and administer
71 a program, within available resources, to promote restaurants in the
72 state that serve farm products grown or produced in the state. The
73 commissioner shall, upon receiving proof satisfactory to said
74 commissioner that at least twenty per cent of food served by a
75 restaurant consists of farm products grown and produced in the state,
76 certify the restaurant to use the words ["Connecticut Farm Fresh]
77 "Connecticut-Grown Restaurant" for promotional and marketing
78 activities. No restaurant other than one certified as a [Connecticut
79 Farm Fresh Restaurant] "Connecticut-Grown Restaurant" may use such
80 words for promotional and marketing activities.

81 (e) The Commissioner of Agriculture may adopt regulations, in
82 accordance with the provisions of chapter 54, to carry out the purposes

83 of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	22-38
Sec. 2	<i>October 1, 2014</i>	22-38b

ENV *Joint Favorable Subst.*